

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-3, 5-8, 10-15, 17-20, and 22 are pending in the present application. Claims 1, 6, 10, 11, 17, and 22 are the independent claims.

Claims 1, 6, 10, 11, 17, and 22 have been amended by the present Amendment. No new matter has been added.

Claims 1, 3, 5-8, and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,252,835 (Choi et al.). Claims 2, 11-15, 17-20, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. Choi et al. in view of U.S. Patent No. 5,457,587 (Suzuki et al.). Claims 1-3, 5-8, 10-15, 17-20, and 22 stand alternately rejected under 35 U.S.C. § 103(a) as being unpatentable over Choi et al. in view of U.S. Patent No. 5,600,615 (Kiyoura et al.). All rejections are respectfully traversed.

Independent claims 1 and 11 recite, inter alia, an offset measuring unit which measures one or more offset parameters ... and that that one or more offset parameters are a sum signal....

Independent claims 6 and 10 recite, inter alia, measuring one or more offset parameters ... and that that one or more offset parameters correspond to a sum signal....

Independent claims 17 and 22 recite, inter alia, setting reference offset values for one or more offset parameters by measuring the one or more offset parameters ... and that the one or more offset parameters are a sum signal....

However, Applicant respectfully submits that the cited art, alone or in combination, does not teach or suggest at least the aforementioned features. Thus, without conceding the propriety of the asserted combinations, it is respectfully submitted that the asserted combinations are likewise deficient, even in view of the knowledge of one of ordinary skill in the art.

The Office Action contends that a sum signal is output from an RF amplifier and the Office Action also contends that the microcomputer 507 of Choi is an offset measuring unit. (Office Action, page 3). Further, the Office Action contends that microcomputer 507 meets that aforementioned features of independent claims 11, 17, and 22. Thus, to meet the aforementioned features of independent claims 1, 10, 11, 17, and 22 the microcomputer 507

must measure a sum signal.

Applicant submits that Choi does not teach that microcomputer 507 measures a sum signal.

A review of FIG. 5 of Choi reveals that the microcomputer 507 receives only the following three signals:

- (1) error signal f_0 from phase comparator 506;
- (2) initial focus offset value f_1 from memory 508; and
- (3) level of focus error signal f_2 from level detector 509.

Of the phase comparator, the memory, and the level detector, only phase comparator 506 is downstream of an RF amplifier (504). Thus, f_1 and f_2 cannot be a sum signal since the alleged sum signal is output by an RF amplifier.

Regarding signal f_0 from phase comparator 506, Choi expressly teaches that, in operation, signals from the RF amplifier are provided to the signal separator, signals to measure jitter that are separated by the signal separator are supplied to the phase comparator, and an error signal f_0 from the phase comparator is provided to the microcomputer. (Choi, Col. 4, lines 20-35). Thus, signal f_0 is not a sum signal.

In sum, Choi teaches that the microcomputer 507 (the alleged offset measuring unit) receives only three signals. And, based on the express teachings of Choi, none of these three signals is a sum signal. In particular, Choi expressly teaches that the signal f_0 received by the microcomputer from the phase comparator is an error signal.

Because Choi does not teach that microcomputer 507 (the alleged offset measuring unit) receives a sum signal, it is not reasonable to conclude that the offset parameters measured by the microcomputer include a sum signal. Thus, Choi cannot meet the aforementioned features of independent claims 1 and 10.

Accordingly, favorable reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

Regarding the rejection of independent claims 11, 17, and 22 under 35 U.S.C. § 103 as unpatentable over Choi in view of Suzuki, the secondary citation to Suzuki relates to a method and system for correcting an offset of a head position signal and is cited for its alleged disclosure of re-measuring newly-measured offset values during a subsequent initial reproduction. Applicant respectfully submits that Suzuki does not add anything that would

remedy the aforementioned deficiency of Choi. Thus, this combination is deficient and the Office has not established a prima facie case of obviousness.

Accordingly, favorable reconsideration and withdrawal of this rejection under 35 U.S.C. § 103 are respectfully requested.

Regarding the alternate rejection of independent claims 1, 6, 10, 11, 17, and 22 under 35 U.S.C. § 103 as unpatentable over Choi in view of Kiyoura et al., the secondary citation to Kiyoura et al. relates to a device and method for automatically controlling a servo loop gain and is cited for its alleged disclosure of re-measuring newly-measured offset values during a subsequent initial reproduction. Applicant respectfully submits that Kiyoura et al. does not add anything that would remedy the aforementioned deficiency of Choi. Thus, this combination is deficient.

Accordingly, favorable reconsideration and withdrawal of this rejection under 35 U.S.C. § 103 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Request, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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